## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IRWIN GARCIA, : No. 3:22cv817

Plaintiff : (Judge Munley)

:

V.

UNITED STATES, et al.,

:

**Defendants** 

ORDER

AND NOW, to wit, this \_\_\_\_\_ day of March 2024, before the court for disposition is Magistrate Judge Martin C. Carlson's report and recommendation, which proposes the dismissal of plaintiff's complaint with prejudice for failure to prosecute. (Doc. 27). No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in deciding whether to adopt the report and recommendation, the court must determine if a review of the record evidences plain error or manifest injustice. FED. R. CIV. P. 72(b) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the recommendation"); see also 28 U.S.C. § 636(b)(1); Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983).

After a careful review, we find neither a clear error on the face of the record nor a manifest injustice, and therefore, we shall adopt the report and recommendation. It is hereby **ORDERED** as follows:

- 1) The magistrate judge's report and recommendation (Doc. 27) is **ADOPTED**;
- 2) The plaintiff's complaint (Doc. 1) is **DISMISSED** with prejudice for failure to prosecute; and

3) The Clerk of Court is directed to close this case.

BY THE COURT:

JUDGE JULIA K. MUNLEY
United \$tates District Court